IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6302 of 1991

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

ABDULSAMAD A

Versus

ANKLESHWAR MUNICIPALITY

Appearance:

None present for Petitioner

MR SHIVANG SHUKLA for MR YN OZA for Respondent No. 1, 2

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 27/07/2000

ORAL JUDGEMENT

#. Heard the learned counsel for the respondents and perused the special civil application.

#. The special civil application has come up for preliminary hearing in the court on 7.9.91 on which date,

notice was issued to the respondents and till returnable date, the respondents were directed to maintain status-quo. The matter was then admitted on 25.2.92. The order passed by the court on that date reads as under:

"Rule. Ad-interim relief to continue with specific clarification that if the respondents remove or decide to remove the cabin of Super Auto Service and other five cabins which are in the same line with that of the petitioner's cabin, then it would be open to the respondents to remove the petitioner's cabin after giving seven days' notice to the petitioner"

#. Nobody is present to say anything what happened after 25.2.92. The special civil application is disposed of in terms of the order dated 25.2.92 with further direction that in case ultimately the order is passed by respondents to remove the cabin of the petitioner, then the same may not be given effect to for fifteen days more and in the meanwhile, the petitioner, if he so desires, to take appropriate legal remedy available against that order. Rule and special civil application stand disposed of accordingly with no order as to costs.

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(sunil)